(1)
(13)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 5830 /2005

PETITIONERS

1. Ram Singh Vishwakarma, S/o. Dhan Singh Vishwakarma, Aged about 50 years, R/o. Baniyadih, P.S. Seepat, Tahsil & District Bilaspur (C.G.)

2. Smt.Tilmati, W/o.Bishahu Sahu, Aged about 55 years, R/o. Mangala, Tahsil & District Bilaspur (C.G.)

3. Heera Bai Suryawanshi, W/o. Dayaram Suryawanshi, Aged about 60 years, R/o.Mangla, District Bilaspur (C.G.)

4. Bhim Singh, S/o.Vishram Singh, Aged about 50 years, R/o.Village Parsada, Post Office Banari, District Janjgir-Champa (C.G.)

P.R. No. 5384/05
Presented by Sri Saurabh Tamrakar
dated 18/10/05

RECEIVED-COPY
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VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through the Principal Secretary, Department of Public Works, Mantralaya, D.K.S Bhawan Raipur (C.G.).

2. The Superintending Engineer, Department of Public Works, Bilaspur Division, Bilaspur (C.G.)

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(4)

3. The Executive Engineer, Public Works Department, Sub Division 1,2&3 Bilaspur (C.G.)

4. The Sub Divisional Officer, Public Works Department, Sub Division 1,2&3 Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ORDER/DIRECTIONS IN NATURE OF WRITS OF MANDAMUS, CERTIORARY OR ANY OTHER WRIT OR LIKE NATURE

The Petitioners most humbly beg to submit as under :-

(45)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 5830/05 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	25.8.2006 Shri Abhishek Soni, Advocate for the petitioners. Shri G.K. Beriwal, Dy. Adv. General for the State on advance copy. Heard. The main grievance of the petitioners in this petition is that they have been retired vide order dated 30.4.2003 on the ground that they have completed 30 years of service. At the outset, learned Deputy Advocate General for the State submitted that no doubt the petitioners are entitled to continue in service up to attaining the age of 60 years. Looking to the limited prayer made by learned counsel for the petitioners and submission made by learned Deputy Advocate General for the State, the petition of petitioners No.1, 2 & 4 is allowed and respondents are directed to take them back in service, as they have not completed 60 years of age so far. Petitioner No.1, 2 & 4 shall also be entitled for all the salary and dues since the date they were terminated. As far as petitioner No.3-Heera Bai Suryawanshi is concerned, she is aged about 60 years, as mentioned in the petition, therefore, her petition is dismissed, as she has already attained the age of 60 years. It is made clear that on account of impugned order regarding retirement of the petitioners No.1, 2 & 4, if they have been paid any retiral benefits, then they are supposed to redeposit the same with the respondent authorities. With the aforesaid, the petition stands disposed of. Certified copy as per rules. Sd/- L.C. Bhadoo Judge	